

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

CASE NO.: 8:22 cv 384

PAUL A. ROSBERG, JOHN DOE )  
AND JANE DOE, )  
PLAINTIFF, )  
VS. )  
MARK JOHNSON, CHANCERY )  
COURT JUDGE FOR THE DISTRICT )  
OF NEBRASKA, )  
DEFENDANT, )  
ROBERT EVNEN, SECRETARY )  
OF STATE OF NEBRASKA, )  
DEFENDANT.

**COMPLAINT**

**RECEIVED**

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DISTRICT OF NEBRASKA  
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Paul A. Rosberg files this complaint against the State of Nebraska because Robert Evnen, Nebraska Secretary of State, has put Chancery District Court Judge, Mark Johnson's, name on the ballot, when he does not qualify to be retained as a Chancery District Court Judge, according to the laws of these United States. Paul A. Rosberg's address is 87288 543 Ave., Wausa, Nebraska 68786.

Johnson is presently an active Chancery District Court Judge in several Nebraska counties, including Knox County, Nebraska. Secretary of State, Robert Evnen, is another tax consuming public servant for the Nebraska people as is Mark Johnson. As to their personal address, I have no clue but can be served at their work places.

## NATURE OF THE ACTION

1. The Disqualification Clause of the U.S. Constitution, ratified in 1868, is found in Section 3 of the 14th Amendment:

“No person shall be a **Senator or Representative in Congress**, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any state, who, **having previously taken an oath, as a member of Congress**, or as an officer of the United States, **or as a member of any State legislature**, or as an executive or judicial officer of any State, **to support the Constitution of the United States**, shall have engaged in **insurrection or rebellion against the same**, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.”

U.S. Constitution amend. XIV § 3; emphasis added.

2. This action seeks a declaratory judgment pursuant to 28 U.S.C. § establishing that Chancery Court Judge Mark A. Johnson, who previously took an oath to uphold the U.S. Constitution, engaged in insurrection or rebellion with his treasonous acts.

The question before the Court arises solely under the United States Constitution and does not directly implicate any state law issue. It would do no good to have the judges rule in favor of themselves again.

3. Paul A. Rosberg has filed a number of cases in the Knox County District Court of common law. The Nebraska Constitution, Article 5, Section 9, clearly states, “**The District Courts shall have both Chancery and common law jurisdiction.**” Article 1, Section 6, of the Nebraska

Constitution clearly states, “...**the right to a trial by jury, shall remain inviolate.**”

4. Numerous times Chancery Court Judge Johnson has violated his oath of office and prevented me an opportunity to have my cases heard on the common law side of the District Court.

5. Time after time he acts under **color of law** committing treason and violating his oath of office by preventing my cases from being in a common law court and unlawfully dismissing my cases and has many times ruled in favor of himself when he was one of the defendants I was suing.

6. In one case, where I was suing him in the common law side of the District Court, he ruled in favor of himself and in his unlawful order he said I could not sue anyone again for three years unless I had an attorney do it, or had a chancery court’s permission. It’s quite apparent he’s not going to allow me to sue him.

7. Johnson has prevented me from seeing my children for six years now for no reason at all. He prevents my motions from even being heard.

The 7<sup>th</sup> Amendment right of the U.S. Constitution says, “**In suits of common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and in no fact tried by a jury, shall otherwise be reexamined in any other court of the United States, then according to the rules of common law.**” Basically the 7<sup>th</sup> Amendment clearly states that under no circumstances, unless one volunteers to enter an inferior chancery court, does one have a jury or a chancery/equity court judge hear this case. When any judge violates one’s Constitutional rights, like Johnson, they are aiding the



enemies engaged in insurrection and rebellion against the United States and they are in violation of their oath of office.

8. In one of Johnson's orders involving him as a defendant, he made this ruling, which in essence prevented me from having my cases heard. In Case No. CI21-76, Johnson states, **"Defendant's Motion for Sanctions is granted. The Court finds that Plaintiff is a "vexatious litigant" and sanctions Plaintiff to not file any lawsuit in any court in Nebraska unless represented by counsel or without leave of court, for a period of three years. Additionally, as a sanction, case numbers Knox County CI21-83, CI21-88, CI21-94 are dismissed."** The truth of the matter is I was not a vexatious litigant but Johnson was a vexatious judge acting under **color of law**, unlawfully ruling in favor of himself, all because he was mad at me for suing him.

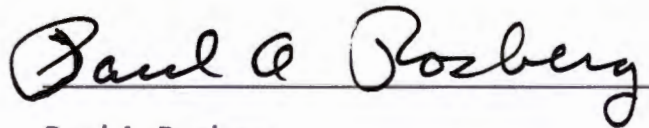
9. Johnson violated his oath of office when he violated Rosberg's rights, preventing his cases from being heard. He violated both State and Federal rights. (1910) **"The Constitution and laws guarantee to every person a fair and impartial trial by an impartial jury. The obligation to protect these Constitutional rights devolves upon the courts, and no court when called upon to act, can shirk or evade the responsibility cast upon it by law."** *Wilson vs. State*, 87 Neb. 638 (126 N.W. 38). It says, **"No court"** that should also include inferior chancery courts like where Johnson considers himself a court.

There is **NO** time where Rosberg volunteered to enter into any chancery court but keeps on insisting he wanted and deserved his trial by jury according to the rules of common law. Rosberg attempted to argue his case under duress to no avail. This case is an at law case. **"A**

**judgment without a trial and determination of all issues raised is erroneous.” 33 C.J. 1135, Sec. 84.**

Therefore, the Plaintiff requests that a hearing be permitted so the Plaintiff can further show this Court why Johnson’s name should not have been placed on the ballot and that Rosberg should be allowed to have his cases heard as provided by law. Rosberg requests that Johnson not be allowed to be any kind of judge as provided by Section 3 of the 14<sup>th</sup> Amendment.

Respectfully submitted on this 7<sup>th</sup> day of November, 2022.

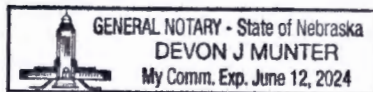


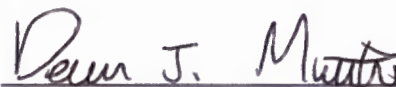
Paul A. Rosberg

**STATE OF NEBRASKA)**

**COUNTY OF KNOX    )**

Paul A. Rosberg came before me on this 7<sup>th</sup> day of November, 2022, and executed this document as being true and correct to the best of his knowledge and belief.





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